

Message Text

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12

ACTION IO-10

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TAGS: AORG, PORG, PDIP, UN

SUBJ: UN CONFERENCE ON THE REPRESENTATION OF STATES IN THEIR
RELATIONS WITH INTERNATIONAL ORGANIZATIONS (RSIO) --
COMMITTEE OF THE WHOLE

SUMMARY: AFTER TWO DAYS OF DEBATE RSIO CONFERENCE
COMMITTEE OF THE WHOLE APPROVED DRAFT ARTICLES 2, 3,
AND 4 AS AMENDED. PRINCIPLE CONTROVERSY CENTERED ON
SCOPE OF CONVENTION, ARTICLE 2, AND INVOLVED THOSE
WHO WISHED ADHERE TO ILC TEXT, THOSE WHO WISHED IT TO
APPLY ONLY TO UN AND SPECIALIZED AGENCIES (SAS), AND
THOSE WHO WANTED WIDEST POSSIBLE APPLICATION. ARTICLE 2
AS NOW WORDED IS ESPECIALLY SATISFACTORY FROM U.S.
POINT OF VIEW. U.S. INSPIRED AMENDMENT WAS OFFICIALLY
SUBMITTED BY NETHERLANDS, MODIFIED AND INCORPORATED
INTO BRITISH TEXT, WHICH WAS APPROVED BY VOTE OF 30 (US) -
22 (SOVBLOC AND LAS) - 13. PRINCIPLE INNOVATION OF
NETHERLANDS PROPOSAL WHICH WAS INCORPORATED INTO UK
TEXT REQUIRES SPECIFIC HOST STATE APPROVAL FOR
APPLICATION OF CONVENTION TO EACH ORGANIZATION,
EVEN THOUGH SCOPE OF CONVENTION IS ESSENTIALLY
LIMITED TO UN AND SAS. ILC TEXT OF ARTICLE 3
WAS ADOPTED AS DRAFTED; AUSTRIAN, US AND OTHER DELS
MADE CLEAR THAT TERMS OF ARTICLE 2 OF CONVENTION
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(I.E. THAT CONVENTION APPLIES TO STATES, NOT NON-

STATES) COULD NOT BE EXPANDED BY LANGUAGE OF ARTICLE 3 RE RULES OF ORGANIZATION. ILC TEXT OF ARTICLE 4 ALSO APPROVED DESPITE EFFORTS OF SPANISH AND PAKISTAN DELS TO INTRODUCE AMENDMENTS MAKING CONVENTION PREEMINENT OVER ANY PAST OR FUTURE BY-OR MULTILATERAL AGREEMENTS ON SUBJECT. ARTICLE 1 IS BEING CONSIDERED AS DEFUNCTAL ISSUES ADDRESSED THEREIN ARE REACHED IN OTHER ARTICLES. IN RELATION TO ARTICLE 2, COMMITTEE ADOPTED ARTICLE 1.1(2), DEFINITION OF INTERNATIONAL ORGANIZATION OF UNIVERSAL CHARACTER WHICH SPECIFICALLY INCLUDES UN, SAS AND IAEA. TEXTS OF ARTICLES ADOPTED WILL FOLLOW. END SUMMARY.

1. ON FEBRUARY 5 AND 6 COMMITTEE OF THE WHOLE DEBATED AND EVENTUALLY APPROVED ARTICLES 2, 3, AND 4. ARTICLE 1 (USE OF TERMS) WAS NOT CONSIDERED ITSELF, BUT IT WAS DECIDED THAT DEFINITIONS WILL BE APPROVED IN CONJUNCTION WITH OTHER ARTICLES. BULK OF DEBATE CENTERED ON ARTICLE 2 (SCOPE OF PRESENT ARTICLES). FOR TACTICAL REASONS US DEL ARGUED IN EARLIER WEO MEETING FOR APPLICATION BEYOND ORGANIZATIONS OF UNIVERSAL CHARACTER, BELIEVING THAT THIS WILL ENCOURAGE MORE RESPONSIBLE ATTITUDE BY MORE PARTICIPANTS. FRENCH, SWISS (ALSO IVORY COAST) HOWEVER INTRODUCED AMENDMENT SPECIFICALLY LIMITING APPLICATION OF CONVENTION TO UN, SAS AND IAEA. DUTCH DEL AGREED TO INTRODUCE US POSITION IN AMENDMENT, AND INCORPORATED ADDITIONAL IDEA THAT APPLICATION OF CONVENTION WOULD OCCUR ONLY WITH SPECIFIC ACCEPTANCE BY ORGANIZATION AND BY HOST STATE WITH RESPECT TO THAT ORGANIZATION. LAS AND SOVBLOC REPS IN GENERAL ARGUED FOR ILC TEXT WHILE SPANISH REP SOUGHT DELETION OF ENTIRE ARTICLE WITH AIM OF MAKING CONVENTION PREEMINENT AND APPLICABLE TO ALL INTER-GOVERNMENTAL ORGANIZATIONS. BRITISH PREFERRED MORE RESTRICTIVE FRENCH APPROACH BUT FOR TACTICAL REASONS SUBMITTED AMENDMENT INCORPORATING ORGANIZATION AND HOST STATE "ACCEPTANCE" PART OF DUTCH (READ US) TEXT AND PART OF FRENCH, SWISS, IVORY COAST TEXT. LIMITED OFFICIAL USE

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2. FIRST PART OF FRENCH, SWISS, IC AMENDMENT WAS REJECTED BY COMMITTEE BY VOTE OF 14-26-20 (US). BY VOTE OF 48 (US) -2-3 COMMITTEE THEN APPROVED FIRST PART OF UK AMENDMENT WHICH WAS ARTICLE 1.1(2) DEFINITION OF IOS OF "UNIVERSAL CHARACTER", (I.E., IOS "SUCH AS" UN, AND SAS) UNDER ARTICLE 1. COMMITTEE REJECTED BULGARIAN MOVE TO HAVE SEPARATE VOTE ON LAST

PHRASE (I.E. ORGANIZATION AND HOST STATE ACCEPTANCE) IN UK TEXT WAS THEN APPROVED. SECOND FRENCH AMENDMENT TO PARA 4 OF ARTICLE 2 AS SUBAMENDED BY CAMEROON AND MADAGASCAR WAS APPROVED BY 31 (US) -7-25. ARTICLE AS WHOLE WAS APPROVED BY 41 (US) WEOS, BULGARIA, ASIANS)-5 (SPAIN, HOLY SEE, CZECHOSLOVAKIA) - 19 (USSR, FRANCE).

3. BRAZILIAN DEL ASKED FOR SEPARATE VOTE ON ARTICLE AS PROPOSED IN ILC TEXT APPROVED BY 59 (US) - 0-4 (TANZANIA, SPAIN, ISRAEL). AUSTRIAN, US, GERMAN, SWISS DELS STATED UNDERSTANDING THAT ARTICLE 3 COULD NOT BE INTERPRETED TO BROADEN APPLICATION OF CONVENTION AS TO ITS SCOPE AND MEMBERSHIP. DELS PRIVATELY WERE CONCERNED BY AMBIGUOUS LANGUAGE CONTAINED IN ILC COMMENTARY ON ARTICLE 3, AND EL-ERIAN (EXPERT CONSULTANT) COMMENT FROM CHAIR THAT IO ASSOCIATE MEMBERS WHICH WERE NOT STATES COULD BE ELIGIBLE RECEIVE P & I.

4. STRONG OPPOSITION WAS EXPRESSED AGAINST EFFORTS BY PAKISTAN TO AMEND ARTICLE 4 TO HAVE CONVENTION PREVAIL OVER ALL OTHER AGREEMENTS. SIMILAR CRITICISM WAS DIRECTED AGAINST SPANISH AMENDMENT WHICH WOULD MAKE CONVENTION PREEMINENT. PAKISTAN AND SPAIN THEN WITHDREW AMENDMENTS. SPANISH DEL DELIVERED BITTER CRITICISM OF CONFERENCE TENDENCY TO FAVOR STATUS QUO AND TANZANIAN DEL OFFERED MILD STATEMENT ALONG SAME LINES.

5. COMMENT-- COMPOSITION OF CONFERENCE DURING FIRST WEEK HAS FAVORED CONSERVATIVE CONSIDERATION OF CONVENTIONS, WITH SOVIETS AND LAS IN FOREFRONT IN LIMITED OFFICIAL USE

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DEFENDING ILC TEXT AND PUSHING FOR EXPANSION OF P & I. WEOS ARE HOLDING TOGETHER WELL IN RESISTING EVEN THOUGH THERE IS DIFFERENCE IN TACTICS. HOWEVER, TO DATE, VARIATIONS IN APPROACH HAVE NOT WORKED TO OUR DISADVANTAGE. AFRICANS AND ARABS ARE GENERALLY SPLIT ON BASIC ISSUES. US DEL HAS TAKEN GENERALLY LOW PROFILE, SEEKING OTHERS TO MAKE US POINTS, SINCE IT WILL PROBABLY HAVE TO BE MORE PROMINENT ON SOME LATER ISSUES. IN MANY RESPECTS WE HAVE IMPRESSION THAT UK AND FRENCH DELS ARE MORE RIGID AND RESISTENT TO EXPANSION OF HOST STATE RESPONSIBILITIES AND INCREASED P & I THAN WE ARE. (THOUGH THIS DOES NOT EXTEND TO QUESTION OF OBSERVER MISSIONS.) FRENCH AMENDMENT TO ARTICLE 2 WAS UNREALISTIC BUT PROBABLY FACILITATED ADOPTION OF MORE MODERATE TEXT. WE ARE

IN DISAGREEMENT WITH SWESS IN OUR EFFORT TO LIMIT
APPLICATION OF ARTICLES TO OBSERVER MISSIONS. WE
HAVE MADE STRONG EFFORT TO TRY TO WORK SOME COMMON
POSITION OUT WITH THEM BUT SO FAR HAVE NOT ACHIEVED
SUCCESS. WE HAVE RECEIVED NOT SUPPORT IN WEO MEETINGS
TO DATE ON OUR GENERAL APPROACH TO OBSERVER MISSIONS.

6. COMMITTEE WILL TAKE UP ARTICLES 5 THROUGH 14
NEXT. HUMES

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